

REMARKS

Claims 1-14 and 25-31 have been rejected as anticipated by Kung (US 5,850,470). Claims 1 and 25 have been amended to recite example classifications. Kung does not classify an occupant of a vehicle. Kung identifies a person (for example, for accessing an ATM), but only if that person is known in the database. Kung provides no “classification” of the person. Therefore, claims 1 and 25 are not anticipated by Kung.

New claim 34 “determining whether the occupant area is occupied by a person,” which is not disclosed by Kung. Dependent claims 35-38 recite example classifications not relevant to Kung’s invention.

Claims 4, 10-13, 30 and 31 are rejected as obvious over Kung in view of Baloch (US 6,459,974).

Claim 4 recites “determining whether to activate an active restraint based upon the classification.” Kung only teaches identifying people based upon their face, not classifying a person. Neither Kung nor Baloch would determine whether to activate an active restraint based upon an identification of a person’s face. Therefore claim 4 is independently allowable.

If any additional fees are due, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, P.C. for any additional fees.

Respectfully submitted,
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